

1 J. DAVID HADDEN (CSB No. 176148)
dhadden@fenwick.com
2 SAINA S. SHAMILOV (CSB No. 215636)
sshamilov@fenwick.com
3 MELANIE L. MAYER (admitted *pro hac vice*)
mmayer@fenwick.com
4 TODD R. GREGORIAN (CSB No. 236096)
tgregorian@fenwick.com
5 RAVI R. RANGANATH (CSB No. 272981)
rranganath@fenwick.com
6 FENWICK & WEST LLP
Silicon Valley Center
7 801 California Street
Mountain View, CA 94041
8 Telephone: 650.988.8500
Facsimile: 650.938.5200
9

Counsel for AMAZON.COM, INC.,
10 AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC.
11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 IN RE: PERSONAL WEB TECHNOLOGIES,
LLC ET AL., PATENT LITIGATION

16 AMAZON.COM, INC., and AMAZON WEB
17 SERVICES, INC.,

18 Plaintiffs

19 v.

PERSONALWEB TECHNOLOGIES, LLC and
20 LEVEL 3 COMMUNICATIONS, LLC,

21 Defendants,

22 PERSONALWEB TECHNOLOGIES, LLC, and
LEVEL 3 COMMUNICATIONS, LLC,

23 Plaintiffs,

24 v.

25 TWITCH INTERACTIVE, INC.,

26 Defendant.
27
28

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**OBJECTION OF AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., AND
TWITCH INTERACTIVE, INC. TO
NOTICE OF WITHDRAWAL OF STUBBS
ALDERTON & MARKILES LLP AS
COUNSEL OF RECORD FOR
PERSONALWEB TECHNOLOGIES, LLC**

1 Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc. (collectively,
 2 “Amazon”) object to the purported notice of substitution of Stubbs Alderton & Markiles LLP
 3 (“Stubbs Alderton”) as not in compliance with the Court’s order (Dkt. 760) or the Local Rules.
 4 Instead, PersonalWeb Technologies, LLC (“PersonalWeb”) and its counsel appear to be continuing
 5 to game the proceedings in order to prejudice Amazon’s enforcement of the judgment.

6 While Lewis Roca Rothgerber Christie LLP (“Lewis Roca”) have filed a purported notice
 7 of appearance for PersonalWeb, that notice is deficient in numerous respects:

- 8 1. The notice is not filed in the lead case, No. 18-md-2834 (or 18-cv-05619-
 9 BLF either), and so permitting Stubbs Alderton to withdraw would leave
 10 PersonalWeb without any representation as to the MDL.
- 11 2. Lewis Roca has specifically *not* agreed to serve as counsel of record for all
 12 purposes as the Court’s rules require [L.R. 11-5(b)] but appears to be
 13 attempting to limit its representation much in the same way that
 14 PersonalWeb divided representation between Stubbs Alderton and Ronald
 15 Richards previously in order to avoid judgment enforcement.
- 16 3. Lewis Roca has attempted to limit its representation to certain judgment
 17 enforcement tasks, potentially to the exclusion of other issues that may
 18 arise, for example issues concerning any remand of the fee award from the
 19 Federal Circuit.

20 The Court set forth an exceedingly simple requirement for Stubbs Alderton’s withdrawal,
 21 one that would be satisfied by Lewis Roca filing a simple notice of appearance in the appropriate
 22 case numbers without attempting unilaterally to impose conditions contrary to the Court’s rules
 23 about the representation of parties. The Court should not tolerate further gamesmanship from
 24 PersonalWeb or its counsel, and it should require that PersonalWeb comply with its prior order
 25 before Stubbs Alderton is permitted to withdraw.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: August 2, 2022

Respectfully submitted,

FENWICK & WEST LLP

By: /s/ Todd R. Gregorian

Todd R. Gregorian

Attorney for AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC.

FENWICK & WEST LLP
ATTORNEYS AT LAW